

TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

17341 CIP2

In re Application of: VOET et al

Application No.: 10/017, 834

Filed: October 30, 2001

For: Botulinum toxin therapy for Hashimoto's thyroiditis

The owner*, ALLERGAN INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,524,580. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in

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2. The undersigned is an attorney or agent of record.

Stephen Donovan 12/22/03
Signature Reg No. 33,433 Date

STEPHEN DONOVAN

Typed or printed name

714 246 4026

Telephone Number

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